

REMARKS

Applicant would like to thank the Examiner for discussing the Office Action on April 17, 2003. Reconsideration of this application is respectfully requested. Applicant has addressed every ground for rejection in the Office Action dated April 7, 2003, Paper No. 22, and believes the application is now in condition for allowance.

Claims 4, 6 and 13-18 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner with respect to Claim 4 found that it was unclear whether the system involves one or more computers. Additionally, the Examiner felt it was unclear what data is being returned by the various input means. Pursuant to the Examiner's suggestions, Claim 4 has been amended to, among other things, clarify that the system comprises a first computer and a second computer. The Examining Attorney preliminary approved of these changes in the telephone conference of April 17, 2003.

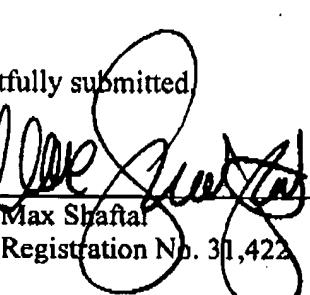
With respect to Claim 13, the Examiner found that "the procedure" lacked antecedent basis. Per the Examiner's suggestion, Claim 13 has been amended to clarify that the step of inputting a procedure code is to determine whether a procedure associated with the procedure code is covered.

Accordingly, allowance of Claims 4, 6 and 13-18, as amended, and expedited issuance is respectfully requested. Should anything further be required, the Examining Attorney is respectfully requested to telephone the undersigned at (312) 551-8300.

May 23, 2003
PATZIK, FRANK & SAMOTNY LTD.
150 South Wacker Drive
Suite 900
Chicago, Illinois 60606
Telephone: 312-551-8300
Facsimile: 312-551-1101

Respectfully submitted

By


Max Shaftal
Registration No. 31,422

VERSION WITH MARKINGS TO SHOW CHANGES MADE

4. (Twice Amended) A system for determining eligibility of a participant in an insurance plan with respect to particular dental procedures performable by a dental care provider comprising:

- [at least one] a first computer having at least one data storage means, at least one input means, and at least one output means;
- data pertaining to at least one participant stored in at least one database on the data storage means of [a] said first [of said at least one] computer wherein at least a portion of said data is not locally stored on [said first] a second computer;
- means [associated with the at least one computer] for determining eligibility of the participant in real time comprising:
 - means associated with the second computer for inputting a participant identifier;
 - means associated with the second computer for inputting a particular procedure necessitated by [a] the participant;
 - means associated with the first computer for searching the participant data stored in the at least one data storage means for the participant identifier; and
 - means associated with the first computer for providing the participant stored data pertaining to the participant identifier [to the output means of the at least one computer], to, in turn, provide data as to the eligibility of [a] the participant for [a] only said inputted particular procedure;
- [said] second input means being associated with [at least] said [first] second computer for inputting an inquiry requesting information from said first computer

pertaining to said particular dental procedure in order to access said participant data in real time and determine eligibility for said particular procedure in real time prior to providing said procedure without the need to send participant's data to said [first] second computer from said data storage means in advance of said determination; and

- means associated with the [at least one] first computer for recording utilization of benefits by the dental provider in real time.

13. [Thrice Amended] A method of providing information to dental care providers regarding a participant of an insurance plan of at least one carrier comprising the steps of:

- determining eligibility of the participant comprising the steps of:
- inputting identifier data pertaining to the participant on a first computer in the form of an inquiry in real time to at least one database containing participant data regarding a plurality of insurance carriers, wherein at least a portion of said participant data is stored remotely from said first computer;
- searching for the identifier data in said participant data of said at least one database;
- providing output in the form of participant data provided as a response to said inquiry in real time pertaining to the eligibility of the participant without the need to send the participant's data from the database in advance of said determination;

- inputting a procedure code in real time to determine whether [the] a procedure associated with the procedure code is covered by the participant's plan prior to performing the procedure; and
- recording the utilization of benefits and claims in real time by way of a procedure by the dental care provider comprising the steps of:
- inputting an identifier data pertaining to the participant; and,
- inputting a performed procedure data.